

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADOLFO FLORES, et al.,

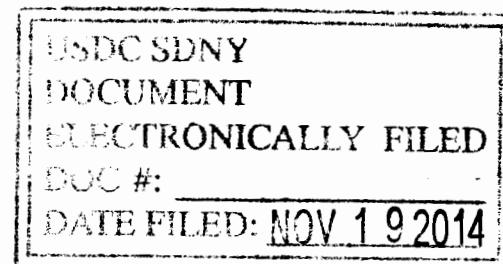
No. 14CV1911-LTS-SN

Plaintiff(s),

-against-

CHELSEA BAGEL & CAFE INC. and
DIMITRY MIKHAYLOR,

Defendant(s).



ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed Magistrate Judge Netburn's July 30, 2014, Report and Recommendation (the "Report"), which recommends that the Court approve the settlement agreement reached by the parties in this case, which was originally brought by plaintiffs under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201 *et seq.*, and the New York State Labor Law for failure to pay minimum wages and overtime compensation. Judge Netburn has carefully scrutinized the settlement agreement, and recommends approval on the basis that it constitutes a fair and reasonable resolution of a bona fide FLSA dispute. The Court has received no objections to the Report.

When reviewing a report and recommendation, the Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C.S. § 636(b)(1) (C) (LexisNexis 2014). "To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." Wilds v. United Parcel Service, Inc., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (internal citations and quotation marks omitted)).

Having carefully reviewed Magistrate Judge Netburn's Report, the Court finds no

clear error. Therefore, the Court adopts the Report in its entirety. The parties' settlement agreement is approved.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: New York, New York
November 18, 2014



LAURA TAYLOR SWAIN
United States District Judge